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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,706	11/17/2003	Gerald N. Shields	28462/38829	2340
4743	7590	11/02/2004	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 6300 SEARS TOWER 233 S. WACKER DRIVE CHICAGO, IL 60606			NGUYEN, ANTHONY H	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/714,706	<b>Applicant(s)</b> SHIELDS, GERALD N.	
	<b>Examiner</b> Anthony H Nguyen	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/14/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

*Claim Objections*

Claim 11 is objected to because the limitation “hazardous Class 1, Division 1 environment” is vague since it is unclear what structure, if any, is required by the language and fails to particularly point and distinctly claim any structure.

*Claim Rejections - 35 U.S.C. § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 9, 10, 12, 14-17 and 19-30 is rejected under 35 U.S.C. 102(b) as being anticipated by Bugar (US 2002/0023587).

With respect to claim 1, 12 and 20, Bugar teaches an inking, cleaning system and method of inking and flushing a printing press having a fluid circuit 100 (Bugar, Fig. 4 and the paragraph seventh) which includes a first operating configuration for supplying ink and a second operating configuration for supplying solution to the printing press. The fluid circuit, which has a controller 52, pumps 57, valves 58 and a display 54 (Bugar, Fig.5), switches operation between the first and second configurations. With respect to claim 15, Bugar teaches the use of an ink station 83 and a flush station 84 which includes the recirculation supply 109, a reservoir 105 and a supply and a valve 110. With respect to claim 24, Bugar teaches the steps of supplying ink from the coating or ink supply 101 to the printing press via the pumps 124, 126, a plurality of valves 102, 107 and fluid lines 131,132,133, 134, removing ink from the fluid circuit,

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supplying a first solution, flushing and removing the first solution, supplying a second solution and flushing and removing the second solution (Burgar, Figs.10 and 11 and the paragraph 0033).

### **Claim Rejections - 35 U.S.C. § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Burgar (US 2002/0023587) in view of Jones et al. (US 6,558,554).

Burgar teaches all that is claimed, except the use of a surge suppressing filter in the fluid circuit. Jones et al. teaches the conventional use of surge suppressing filter 10, 12 and 64 (Jones et al., Fig.1) which is connected to a supply conduit 14 for supplying fluid to a coating apparatus via a line 66 (Jones et al., Fig.1). In view of the teaching of Jones et al., it would have been obvious to one of ordinary skill in the art to modify the system of Burgar by providing a surge suppressing filter as taught by Jones et al. to improve the efficiency of feeding a fluid from a source to a printing cylinder.

Claims 8, 11 and 13 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Burgar (US 2002/0023587) in view of Takekoshi (US 5,181,467).

Burgar teaches all that is claimed, except the flow sensor used in the fluid circuit. Takekoshi teaches the use of flow sensors 16,18 for controlling the flow rate of a solution which is transferred to the container 26 as shown in Fig.3 of Takekoshi. In view of the teaching of

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Takekoshi, it would have been obvious to one of ordinary skill in the art to modify the system of Bugar by providing the flow sensor as taught by Takekoshi to improve the efficiency of feeding fluid from a source to a printing cylinder. With respect to claim 13, the use of a light tower for display information is known and involves no apparent unobviousness. For examples, see Takekoshi, col.10 lines 31-34.

Claim 18 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Bugar (US 2002/0023587) in view of Clauditz (US 5,330,576).

Bugar teaches all that is claimed, except the use of a double diaphragm air driven pump in the circuit. Clauditz teaches a recirculating coating liquid supply system which includes the double diaphragm pumps 4, 37 (a) and 37(b) for feeding liquid mixture to the applicator trough 53 (Clauditz, Fig.1). In view of the teaching of Clauditz, it would have been obvious to one of ordinary skill in the art to modify the system of Bugar by providing the double diaphragm pump as taught by Clauditz for simplicity in design the inking and flushing system.

### *Conclusion*

The patents to Naniwa et al., Bleiler et al., Achelpohl et al., MarschkeDeMoore et al., and Landa et al. are cited to show other structures and methods having obvious similarities to the claimed structure and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168. The fax phone number for this Group is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, reading "Anthony Nguyen". The signature is written in a cursive style with a large, stylized 'A' and 'N'.

Anthony Nguyen  
10/26/04  
Patent Examiner  
Technology Center 2800